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11 Attorneys for Debtors

12
13 UNITED STATES BANKRUPTCY COURT

14 DISTRICT OF OREGON

15 In re

Case No. 19-62584-pcm11

16 NORPAC Foods, Inc.,

17 Debtor.

18 In re

Case No. 19-33102-pcm11

19 Hermiston Foods, LLC,

20 Debtor.

21 In re

Case No. 19-33103-pcm11

22 Quincy Foods, LLC,

23 Debtor.

**DEBTORS' MOTION FOR
EXPEDITED HEARING ON FIRST
DAY MOTIONS**

EXPEDITED HEARING REQUESTED

Pursuant to Bankruptcy Rules 9014, 4001(b)(2), and 4001(c)(2), Debtors and Debtors-in-Possession NORPAC Foods, Inc. (“NORPAC”), Hermiston Foods, LLC (“Hermiston Foods”), and Quincy Foods, LLC (“Quincy Foods”) (together, “Debtors”) hereby move this Court for an expedited hearing on certain of their first day motions. The motions upon which Debtors request expedited hearings (collectively, the “Expedited First Day Motions”) are as follows:

Document	Case No. 19-62584-pcm11 ECF No.	Case No. 19-33102-pcm11 ECF No.	Case No. 19-33103-pcm11 ECF No.
1. Debtors’ Motion for Order Directing Joint Administration Pursuant to FRBP 1015(b)	4	4	5
2. Debtors’ Motion for Order Authorizing Payment of Prepetition Wages, Salaries, Compensation, Expenses, Benefits, and Related Taxes; and to Continue Employee Benefits Postpetition	6	5	6
3. Debtors’ Motion Authorization to Obtain Secured Credit on an Interim and Final Basis	7	10	7
4. Debtors’ Motion for Authority to Continue Using Certain Existing Bank Accounts	8	8	8
5. Debtors’ Motion for Order Determining Adequate Assurance to Utility Companies	9	9	9
6. Debtors’ Motion for Authority to Pay Prepetition PACA Claims	10	11	10
7. Debtors’ Motion to Set Deadlines and Hearing Dates for Bid Procedures and Sale of Assets	11	12	11
8. Debtors’ Application for Order to Employ Kurtzman Carson Consultants LLC as Noticing and Claims Agent for Debtors	12	13	12
9. Debtors’ Motion for Expedited Hearing on First Day Motions	This Motion	This Motion	This Motion

1 In support of its request, Debtors state as follows:

2 1. On August 22, 2019 (the “Petition Date”), Debtors filed voluntary
3 petitions for relief under Chapter 11 of Title 11 of the United States Code.

4 2. Debtors have continued in possession of their property and are continuing
5 to operate and manage their business as debtors-in-possession pursuant to Sections 1107(a) and
6 1108 of Title 11 of the United States Code.

7 3. No request has been made for the appointment of a trustee or examiner,
8 and no official committee of unsecured creditors has been appointed in Debtors’ cases at this
9 time.

10 4. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157
11 and 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. This is a
12 core proceeding pursuant to 28 U.S.C. § 157(b)(2).

13 5. NORPAC, a farmer-owned cooperative, along with its wholly-owned
14 subsidiaries Hermiston Foods and Quincy Foods, is the largest independent, standalone
15 processor of high-quality organic and conventional frozen vegetables and fruits in the Pacific
16 Northwest. NORPAC owns raw processing plants in Brooks, Oregon, and Stayton, Oregon, a
17 packaging plant and corporate headquarters building in Salem, Oregon, a harvesting operation in
18 Hermiston, Oregon, and a raw processing, roasting, and packing plant in Quincy, Washington.
19 Debtors have over 1,125 full-time employees along with up to 1,100 seasonal employees.

20 6. Debtors have a diverse supplier base built on an extensive network of over
21 220 contract growers made up of family-owned farms (145 farms in Oregon and 75 farms in
22 Washington) spanning more than 40,000 acres. Debtors have long-term, established
23 relationships with a global blue-chip customer base of over 1,250 customers, spanning the retail,
24 foodservice, club, export, and industrial channels.

1 7. Additional information and background regarding Debtors' history, assets,
2 structure, operations, and business are contained in the Declaration of Winston Mar in Support of
3 First Day Motions filed contemporaneously herewith.

4 8. Shortly after filing the petitions, Debtors filed the Expedited First Day
5 Motions.

6 9. Debtors are in immediate need to obtain Court consideration and approval
7 of their Expedited First Day Motions in order to continue to conduct their business in the
8 ordinary course and to pay their post-petition obligations as and when they become due.

9 10. Debtors will suffer immediate and irreparable harm if they are not
10 authorized to obtain the relief requested in their Expedited First Day Motions. Debtors request
11 that a hearing be set on the Expedited First Day Motions as soon as reasonably possible.

12 In support of the Motion, Debtors rely upon the Declaration of Winston Mar in
13 Support of First Day Motions.

14 DATED this 22nd day of August, 2019.

15 TONKON TORP LLP

16
17 By /s/ Albert N. Kennedy

18 Albert N. Kennedy, OSB No. 821429

19 Timothy J. Conway, OSB No. 851752

20 Michael W. Fletcher, OSB No. 010448

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25
26

EXHIBIT 1

PROPOSED FORM OF ORDER

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re NORPAC Foods, Inc., Debtor.	Case No. 19-62584-pcm11
In re Hermiston Foods, LLC, Debtor.	Case No. 19-33102-pcm11
In re Quincy Foods, LLC, Debtor.	Case No. 19-33103-pcm11 ORDER GRANTING DEBTORS' MOTION FOR EXPEDITED HEARING ON FIRST DAY MOTIONS

THIS MATTER having come before the Court upon Debtors' Motion for Expedited Hearing on First Day Motions (the "Motion") [ECF No. ____], and the Court being duly advised in the premises and finding good cause; now, therefore,

IT IS HEREBY ORDERED that Debtors' Motion for Expedited Hearing on First Day Motions is granted, and that the expedited hearing shall be held on August 26, 2019 at

Page 1 of 2 - ORDER GRANTING DEBTORS' MOTION FOR EXPEDITED HEARING ON FIRST DAY MOTIONS

8 a.m. U.S. Bankruptcy Court, 1050 SW Sixth Avenue, Courtroom 1, 1050 SW Sixth Avenue,
Portland, OR 97204, before the Honorable Peter C. McKittrick

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I certify that I have complied with the requirements of LBR 9021-1(a).

Presented by:

TONKON TORP LLP

By

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